

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Wellon C. Duhart,

Plaintiff,

v.

Case No. 1:20cv314

Mark Clement, CEO of
TriHealth,

Judge Michael R. Barrett

Defendant.

ORDER

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on April 24, 2020 (Doc. 4).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the R&R in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge’s R&R (Doc. 4) have been filed.

Accordingly, it is **ORDERED** that the R&R (Doc. 4) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, plaintiff’s Complaint (Doc. 3) is **DISMISSED** as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B) and for lack of subject matter jurisdiction under Fed. R. Civ. P. 12(h)(3).

Any request for certificate of appealability or request to certify an appeal would not be taken in good faith and would be denied.

IT IS SO ORDERED.

s/Michael R. Barrett
Michael R. Barrett, Judge
United States District Court